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5 UNITED STATES DISTRICT COURT  
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
7 OAKLAND DIVISION  
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9 STARDOCK SYSTEMS, INC.,

10 Plaintiff,

11 vs.

12 PAUL REICHE III and ROBERT  
13 FREDERICK FORD,

14 Defendants.

Case No: C 17-07025 SBA

**ORDER SETTING CASE  
MANAGEMENT CONFERENCE  
AND DENYING WITHOUT  
PREJUDICE MOTION FOR  
PROTECTIVE ORDER**

15 AND RELATED COUNTERCLAIM.  
16

17 The instant action commenced on December 8, 2017. Dkt. 1. The Court issued an  
18 Order for Pretrial Preparation on March 22, 2018. Dkt. 33. On September 18, 2018,  
19 Plaintiff Stardock Systems, Inc. and Defendants Paul Reiche III and Robert Frederick Ford  
20 filed an administrative motion to modify the scheduling order, which included a request to  
21 retroactively extend the deadline to amend the pleadings. Dkt. 65. The Court granted the  
22 motion with modifications and extended the pretrial deadlines, including the discovery  
23 deadlines. Dkt. 70. The Court issued the Amended Order for Pretrial Preparation on  
24 October 3, 2018. Dkt. 69.

25 The operative pleadings—the Third Amended Complaint and Second Amended  
26 Counterclaim—were timely filed on October 15, 2018. Dkt. 71, 72. With the addition of  
27 new parties and new claims, there are now pending two motions to dismiss, as well as a  
28 motion for leave to file a Fourth Amended Complaint. Dkt. 76, 82, 104. Although the fact

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1 discovery cut-off passed December 21, 2018, discovery is ongoing. There is also pending  
2 an administrative motion to modify the scheduling order. Dkt. 91.

3 In view of the foregoing, the parties shall appear for a telephonic Case Management  
4 Conference on February 14, 2019, at 3:00 p.m. By no later than February 13, 2019, the  
5 parties shall meet and confer and file a Joint Case Management Conference Statement that  
6 includes ONLY the following: 1) a line item specification of the discovery that has been  
7 completed to date and that which remains outstanding; 2) the timeframe to complete  
8 outstanding discovery; 3) proposed dates for the re-scheduling of this action; and 4) the  
9 parties' respective positions regarding further settlement discussions. In addressing the  
10 purported need to extend all discovery deadlines, the parties shall discuss whether the  
11 addition of new parties in this action provides good cause to extend all discovery deadlines  
12 as to the original parties.

13 Plaintiffs' counsel shall be responsible for filing the Joint Case Management  
14 Statement and setting up the conference call. At the date and time indicated above,  
15 Plaintiffs' counsel shall call (510) 879-3550 with all parties on the line. No party shall  
16 otherwise contact chambers directly without prior authorization of the Court.

17 On February 6, 2019, Plaintiff and Counter-Defendant Stardock Systems, Inc. and  
18 Cross-Defendant Valve Corporation filed a Motion for a Protective Order in the Form of  
19 Stay of Party Depositions for 60 Days; to Modify the Scheduling Order; and For a Status  
20 Conference. Dkt. 106. Insofar as the motion seeks to modify the scheduling order, the  
21 Court will rule on that request following the case management conference. Insofar as the  
22 motion seeks a protective order in the form of a 60-day stay of party depositions—a  
23 discovery matter properly brought before Magistrate Judge Kandis Westmore—it is  
24 DENIED without prejudice to refile in a manner that complies with her Standing Orders  
25 regarding discovery disputes. See Dkt. 43.<sup>1</sup>

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27 <sup>1</sup> Indeed, it appears Magistrate Judge Westmore conducted a telephonic conference  
28 with the parties on December 4, 2018, to discuss the scheduling of the depositions at issue.

1 This order terminates Docket 98 and 106.

2 IT IS SO ORDERED.

3 Dated: 2/8/2019

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SAUNDRA BROWN ARMSTRONG  
5 Senior United States District Judge  
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